

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Josué Villalta on March 12, 2008.

The application has been amended as follows:

Claim 1(Currently amended)

An active sampler for liquids, comprising:

an inlet;

an outlet;

a sampling unit positioned between said inlet and outlet, said sampling unit comprising a plurality of sampling chambers which are substantially fluidly sealed relative to one another, one of the chambers being positioned in a flow path that extends from the inlet, through the sampling unit, to the outlet, the flow path including a first flow path section and a second flow path section, the first flow path section extending between the inlet and one end of the sampling chamber, the second flow path section extending between the outlet and another end of the sampling chamber, the sampling chamber interfacing with the first and second flow path sections via resilient

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sealing members so as to substantially seal the sampling chamber in the flow path from the other sampling chambers;

a pump configured to pump liquid selectively through said sampling chamber;

and

an actuator which rotates ~~relatively moves~~ said sampling unit ~~and said flow path~~ such that said one sampling chamber is positioned out of said flow path while another of the chambers is positioned in the flow path,

wherein the sampling chambers contain a sampling media and liquid flows along the flow path, each of the first and second sections of the flow path being configured to have minimal flow restrictions such that the pump can produce a flow rate of at least about 10 ml/min through the sampling chamber while drawing generally on the order of about 250 mW of power, thereby permitting the sampling unit to operate over a longer period of time for a given battery charge.

Claims 17-24 (Cancelled)

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Brittan et al. (US 3,731,539) disclose a sampling apparatus for collecting atmospheric samples. The apparatus comprises an inlet, an outlet, a pump and the claimed sampling unit. However, the apparatus does not comprise a sampling media. Moreover, the apparatus disclosed by Brittan et al. is designed to sample gas, not liquid. Lastly, the apparatus utilizes flow restricting valves to open and close each sampling

chamber, and therefore it does not appear to be capable of operating at the claimed power efficiency.

Doherty et al. (US 5,441,071) disclose a water sampling apparatus. The apparatus comprises an inlet and an outlet, a pump, and a sampling unit comprising a plurality of sampling chambers. However, the sampling unit disclosed by Doherty et al. does not comprise the claimed flow path. Rather, the sampling unit disclosed by Doherty et al. draws in and pumps out liquid using the sample port.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL S. HYUN whose telephone number is (571)272-8559. The examiner can normally be reached on Monday-Friday 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on (571)-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul S Hyun/
Examiner, Art Unit 1797

/Jill Warden/
Supervisory Patent Examiner, Art Unit 1797